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Attorneys for Defendants, SHAWN HOGAN
 and DIGITAL POINT SOLUTIONS, INC.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

EBAY, INC.,	)	Case No. CV 08-04052 JF PVT
)	
Plaintiff,	)	DECLARATION OF ROSS M.
	)	CAMPBELL IN SUPPORT OF
v.	)	DEFENDANTS DIGITAL POINT
	)	SOLUTIONS, INC. AND SHAWN
DIGITAL POINT SOLUTIONS, INC., SHAWN	)	HOGAN’S MOTION TO DISMISS
HOGAN, KESSLER’S FLYING CIRCUS,	)	PLAINTIFF’S SECOND AMENDED
THUNDERWOOD HOLDINGS, INC., TODD	)	COMPLAINT FOR FAILURE TO STATE
DUNNING, DUNNING ENTERPRISE, INC.,	)	A CLAIM; [FRCP RULE 12(b)(6)]
BRIAN DUNNING, BRIANDUNNING.COM,)	
and Does 1-20,	)	Date: June 26, 2009
	)	Time: 9:00 a.m.
Defendants.	)	Dept.: Courtroom 3
)	

I, Ross M. Campbell, declare:

1. I am an attorney at law duly authorized to practice law before the United States District Court for the Northern District of California and am an attorney with Coast Law Group, LLP, attorneys of record for Defendants DIGITAL POINT SOLUTIONS, INC. and SHAWN HOGAN (the “DPS Defendants”). If called upon as a witness I could and would competently testify to the following facts based upon my own personal knowledge, except as to those matters set forth on information and belief.

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1 2. Attached as Exhibit "1" hereto is a true and correct copy of the "Commission Junction
2 Publisher Service Agreement" previously filed in conjunction with the defendants' Motions to Dismiss
3 Plaintiff's First Amended Complaint.

4 3. Attached as Exhibit "2" hereto is a true and correct copy of the "Special Terms &
5 Conditions >> eBay Affiliate Global Ts&Cs Oct.1, 2005 / eBay Affiliate Program - Supplemental Terms
6 and Conditions" previously filed in conjunction with the defendants' Motions to Dismiss Plaintiff's First
7 Amended Complaint.

8 4. The foregoing documents are submitted for consideration in conjunction with the DPS
9 Defendants' Motion to Dismiss Plaintiff's Second Amended Complaint pursuant to the authorities set
10 forth in Section III of the accompanying Memorandum of Points & Authorities, as Plaintiff's Second
11 Amended Complaint expressly refers to both documents and their validity was not challenged with
12 respect to the prior Motions to Dismiss.

13 5. I declare under penalty of perjury under the laws of the United States of America and the
14 State of California that the foregoing is true and correct.

15 DATED: April 27, 2009

s/Ross M. Campbell
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